

REMARKS

In the Office Action, the Examiner rejected claims 1-9 and 12-16 under 35 U.S.C 102(b) as being anticipated by Arnold in U.S. Patent No. 5,819,606. Further, claim 10 was rejected under 35 U.S.C 103(a) as being unpatentable over Arnold. Claims 11 and 17 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

The Arnold patent discloses an identification element of a socket which is used for a clamping mobile element such as a nut. The purpose of said element is to differentiate different sockets of the clamping tools by indicia with color means or an alpha-numeric on its surface. These identification means are used for indicating different dimensions and shapes of the socket.

The identification element has a shape and dimensions adapted to be inserted and fixed in one end of the socket. It has either a hollow cylindrical core with an upper portion as seen in figure 4, which abuts the top surface of the socket when inserted in the socket, or an annular shape, as seen in figure 14. It is fixed in a first end of the socket, which is adapted to be received on the ratchet wrench, where there is a top surface which has an opening formed therein (column 1, lines 57-64).

Amended claim 1 is novel, compared to Arnold, since Arnold does not include all the elements of claim 1.

The identification element of the socket of Arnold is not completely inserted in the female recess as the identification element of the socket in the applicant's invention is. It is seen for instance from Arnold's figures 1, 4, 10 and 14, and in the applicant's invention in figure 3.

In addition, the identification means as color means or alpha-numeric means which are on the identification element is on the top of the socket in Arnold, whereas it is on the identification element inside the socket in the applicant's invention. As shown from all of Arnold's figures, and in the Applicant's invention in figure 3.

In the same way, the identification element of Arnold is on the top of the socket which is adapted to be received on the ratchet wrench, whereas the identification element in the applicant's invention can be relatively far from the top of the socket which is adapted to be received on the ratchet wrench.

Several arguments can be made to support the non-obviousness of claim 1 of the invention.

1. Firstly, with the knowledge of Arnold, one of ordinary skill in the art, who wants to mark the socket of a device adapted to be used with a female recess tool, would take the identification element of Arnold and would place it on the tool of the invention between the ratchet wrench and the socket. One of ordinary skill in the art would put it as the identification element is in Arnold.

One of ordinary skill in the art would also think to put it on the top of the socket 5 of the applicant's invention. However, even if they are able to secure the identification element with the socket, the clamping function of the tool would be affected. The identification element would be deteriorated because it would be in contact with the work piece.

And even if they carry it out, they would not be led to the described applicant's invention.

2. Furthermore, one of ordinary skill in the art seems to prove the non-obviousness step if they think to put the identification element in the recess of the socket useful for clamping a work piece for instance a nut.

In view of Arnold, they would not think about putting the identification element in the recess of the socket. If they do it, they would obstruct the recess of the clamping tool. Moreover, this recess is only used for clamping a work piece. So they would not think of using the recess for differentiating the sockets.

And even if they thought of doing it, as the identification element of the socket in Arnold is annular shaped, they would not be incited to put it inside the recess of the socket. Because it would not improve the display of the identification means of the identification element which is annular shaped.

3. Additionally, one of ordinary skill in the art on the basis of Arnold, who wants to improve the display of the identification means of the identification element, would look for finding a means to increase its surface.

However, they would not be incited to put it in the recess of the socket in Arnold because the identification would obstruct the recess which is used for clamping a work piece. Arnold states that the *'sleeve 20 is hollow and a work piece can extend completely through the socket so that the socket can be used in those situations when a socket without a through opening cannot be used'* (column 4, lines 10-13).

They are again less incited to put it in the recess of the socket in the Applicant's invention because the recess is smaller and has one side closed.


Claim 1 is therefore not obvious in view of Arnold.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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